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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
10
11 Plaintiff,

Case No. CR07-389-RSL

12 v.

JACOB CLARK,

Defendant.

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

13 INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on June 7,
15 2011. The defendant appeared pursuant to a warrant issued in this case. The United States was
16 represented by Steven T. Masada, and defendant was represented by Stephan R. Illa. Also
17 present was U.S. Probation Officer Angela M. McGlynn. The proceedings were digitally
18 recorded.

19 SENTENCE AND PRIOR ACTION

20 Defendant was sentenced on May 9, 2008 by the Honorable Robert S. Lasnik for
21 Distribution of controlled Substances. He received 15 months of detention and 3 years of
22 supervised release.

23 On May 6, 2010, a violation report was submitted to the Court requesting a warrant be

1 issued for Mr. Clark, when he began abusing prescription drugs, failed to report as directed for
2 urinalysis testing, moved and failed to notify the probation officer of his new address, and
3 changed employment without notifying the probation officer. On June 25, 2010, Mr. Clark's
4 supervision was revoked and he was sentenced to three months detention, followed by 27 months
5 supervised release. Mr. Clark was released from detention and began his second term of
6 supervised release on August 18, 2010.

7 PRESENTLY ALLEGED VIOLATIONS

8 In a petition dated February 25, 2011, U.S. Probation Officer Angela McGlynn alleged that
9 defendant violated the following conditions of supervised release:

10 1. Committing the crime of Burglary 1st Degree, on or about August 30, 2010, in
11 violation of the special condition that prohibits the defendant from committing any new local,
12 state, or federal crime.

13 FINDINGS FOLLOWING EVIDENTIARY HEARING

14 Defendant admitted the above violations, waived any hearing as to whether they occurred,
15 and was informed the matter would be set for a disposition hearing on June 27, 2011, at 9:00
16 a.m. before District Judge Robert S. Lasnik.

17 RECOMMENDED FINDINGS AND CONCLUSIONS

18 Based upon the foregoing, I recommend the court find that defendant has violated the
19 conditions of his supervised release as alleged above, and conduct a disposition hearing.

20 DATED this 7th day of June, 2011.

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23 BRIAN A. TSUCHIDA
United States Magistrate Judge